IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 8TH JANUARY 2007 / 18TH PAUSHA 1928

Bail Appl..No. 28 of 2007()

CMP.12700/2006 of J.M.F.C.-I,KOTTARAKKARA
CR.NO.130/06 OF KOTTARAKKARA EXCISE RANGE.

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PETITIONER/ACCUSED

BHARGAVAN, S/O.NARAYANAN,
CHARUVILA PUTHEN VEEDU, KARUVELIL MURI,
EZHUKONE VILLAGE, KOTTARAKKARA.

BY ADV. SRI.PRATHEESH.P

RESPONDENT: STATE

STATE OF KERALA, REPRESENTED BY
EXCISE RANGE OFFICER, KOTTARAKKARA,
THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 28 OF 2007

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DATED THIS THE 8th DAY OF JANUARY, 2007

O R D E R

In this Petition filed under Sec.439 Cr.P.C. the petitioner who is the accused in Cr.No.130/06 of Kottarakkara Excise Range for offences punishable under Sections 8(1) and 8(2) of the Abkari Act, for having been found in possession of 15 litres of arrack on 8.7.2006, seeks his enlargement on bail. The petitioner was arrested on 2.12.2006.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor. The learned Public Prosecutor opposed the application submitting, inter alia, that the petitioner is an accused in two other cases involving similar offences.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This application is accordingly dismissed.

V.RAMKUMAR, JUDGE.

dsn/-